

FILED

MAR 21 2007

DISCIPLINARY COMMISSION OF THE  
SUPREME COURT OF ARIZONA

**BEFORE THE DISCIPLINARY COMMISSION  
OF THE SUPREME COURT OF ARIZONA**

IN THE MATTER OF A SUSPENDED MEMBER ) No. 05-2227  
OF THE STATE BAR OF ARIZONA, )

**BRADFORD T. BROWN,**  
**Bar No. 009034**

**DISCIPLINARY COMMISSION  
REPORT**

RESPONDENT.

This matter came before the Disciplinary Commission of the Supreme Court of Arizona on February 10, 2007, pursuant to Rule 58, Ariz.R.Sup.Ct., for consideration of the Hearing Officer's Report filed December 18, 2006, recommending a four-month suspension and costs.

**Decision**

The eight members<sup>1</sup> of the Disciplinary Commission by a majority of seven,<sup>2</sup> adopt the Hearing Officer's findings of fact and conclusions of law, but modify *de novo* the recommended sanction to reflect a six-month and one-day suspension and costs of these disciplinary proceedings.<sup>3</sup> In light of Respondent's repeated failure to respond and cooperate in this instant matter, and the presence of similar prior misconduct specifically involving the failure to adequately represent and/or communicate with clients and the refusal to cooperate or furnish information to the State Bar, the Disciplinary Commission

<sup>1</sup> Commissioner Gooding did not participate in these proceedings.

<sup>2</sup> Commissioner Flores was opposed and concluded that the length of suspension was excessive based on the minor nature of the underlying misconduct and the deficiency of the complaint.

<sup>3</sup> A copy of the Hearing Officer's Report is attached as Exhibit A.

determined that a suspension requiring formal reinstatement proceedings is necessary to protect the public.<sup>4</sup>

The Disciplinary Commission further notes that although Respondent's misconduct is deemed admitted by default, ethically and as a normal course of action, a criminal defense attorney may not be under any obligation to discuss his client's case with anyone other than the client, with or without the client's consent, unless necessary to defend the case.<sup>5</sup>

RESPECTFULLY SUBMITTED this 21<sup>st</sup> day of March 2007.



J. Conrad Baran, Chair  
Disciplinary Commission

Original filed with the Disciplinary Clerk  
this 21<sup>st</sup> day of March, 2007.

Copy of the foregoing mailed  
this 21<sup>st</sup> day of March, 2007, to:

Larry W. Suci  
Hearing Officer 7A  
101 East Second Street  
Yuma, AZ 85364

Bradford T. Brown  
Respondent  
201 S. Second Avenue  
Yuma, AZ 85364-2213

<sup>4</sup> The Commission considers *de novo* the length of suspension, based on the facts determined by the Hearing Officer, as a mixed question of fact and law.

<sup>5</sup> The Complainant in this case is Respondent's client's father, and the record is devoid of any reason Respondent was obligated to communicate with the Complainant.

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by: Mr. Smith

/mps